THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT APPEAL No. 2265 OF 2005

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24-11-2005

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Between:

Nawab Mohammed Iqbaluddin Khan & Others.

……..APPELLANTS

And

Director General of Police, Government of Andhra Pradesh & Others.

…….RESPONDENTS

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JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

This is an appeal filed against the order passed by the learned Single Judge in writ petition No.20639 of 2005.

The writ petition was filed by the appellants for quashing of F.I.R. No.1122 of 2002, dated 12.10.2002. There is no ground on which this Court could quash the F.I.R. We have perused the F.I.R., which discloses an offence, therefore, it is the duty of the Police to conduct investigation in the matter. The appellants contends that the allegations levelled against the 1st appellant, of committing forgery, were not at all possible, because he was 85 year-old person with his right leg amputated and also there are decrees with respect to the land in question.

These are matters, which will have to be seen by the investigating agency and if the investigating agency finds that there is no case proved, they will accordingly close the matter, but on the other hand, if they find that there is sufficient evidence for prosecution, then the matter will have to be decided by the appropriate Court.

Writ Appeal is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

24th November 2005

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(R.SUBHASH REDDY, J)

ajr